

INTERNATIONAL PATENT COOPERATION TREATY

PCT

REC'D 10 OCT 2001

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14

Applicant's or agent's file reference 7758M/MH		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) FOR FURTHER ACTION	
International application No. PCT/US00/23321	International filing date (day/month/year) 25/08/2000	Priority date (day/month/year) 27/08/1999	
International Patent Classification (IPC) or national classification and IPC C11D3/39			
Applicant THE PROCTER & GAMBLE COMPANY et al.			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 15/11/2000	Date of completion of this report 05.10.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Renoth, H Telephone No. +49 89 2399 8589



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/23321

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-63 as originally filed

Claims, No.:

1-25 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/23321

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary: - - - - -

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	
	No:	Claims	1-25
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-25
Industrial applicability (IA)	Yes:	Claims	1-25
	No:	Claims	

2. Citations and explanations
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/23321

ad Item V

The following documents cited in the international search report are considered to be relevant with respect to the subject-matter of the present application;

D1: US-A-5 710 116

D2: US-A-5 817 614

D3: US-A-5 576 282

Novelty, Article 33(2) PCT

Each of documents D1 to D3 relates to low-temperature bleaching systems and a method for cleaning substrates therewith, especially fabrics.

The bleaching systems of D2 and D3 contains aryliminium zwitterions as the essential feature, whereas the bleaching system of D1 contains oxaziridinium zwitterions as the essential feature.

According to columns 9 (ls. 49-51), 9 (ls. 14-16) and 9 (ls. 41-43) of D1, D2 and D3, respectively, the amount of the bleach booster is from 0.01-10%.
In the examples of the present application the cationic catalyst compound is used in an amount of from 0.002% (Ex II:E) to 0.3% (Ex V).

Furthermore, Examples I,B and II,C,D of the present application contain the same amount of organic catalyst as Examples IV:A,C and V:A,C,D of D1 and D3 as well as Examples IX:A,C and X:A,C,D of D2 (bleach booster).
Therefore, bleach systems as defined in the independent claims of the present application are already disclosed in each of D1 to D3.

With respect to the entire disclosure of D1, D2 or D3 the independent claims 1, 17, 20 and 25, thus, lack novelty.

The additional features of dependent claims 2-16, 18, 19, 21-24 are also disclosed in at least one of the above mentioned documents. Therefore, these claims also appear to lack novelty.